

**STANDARDS COMMITTEE**

**4 July 2011**

Attendance:

Mr P Smith (Independent Member - Chairman)

Councillors:

Berry (P)  
Clear (P)  
Chamberlain (P)

Laming  
Lipscomb (P)  
Nelmes (P)  
Pearson (P)

Also in Attendance

Councillor Pines

Independent Members and Parish Representatives in attendance:

Mr J Barnett (Independent Member)  
Ms J Collins (Independent Member).  
Ms C Hicks (Independent Member)

Ms J Bond (Parish Representative)  
Mr J Harris (Parish Representative)  
Mr J Watson (Parish Representative)

---

1. **APOLOGIES**

Apologies for absence were received from Mr P Smith (Independent Member) and Councillor Laming.

2. **APPOINTMENT OF VICE CHAIRMAN**

RESOLVED:

1. That Councillor Pearson be appointed Vice Chairman of the Committee for the 2011/12 Municipal Year.

2. That, in the absence of the Chairman, Ms Hicks (Independent Member) be appointed Chairman for the meeting.

3. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 31 January 2011 be approved and adopted.

4. **MONITORING OF COMMITTEE PROCEEDINGS BY INDEPENDENT MEMBERS AND PARISH REPRESENTATIVES – RESULTS**

(Report ST88 refers)

As a matter of personal explanation, Councillor Lipscomb confirmed that he was one of the Members referred to in the comments regarding the special meeting of the Planning Development Control Committee held on 7 April 2011. This was noted.

The Committee discussed the findings for each of the meetings in turn, at the conclusion of which it was

RESOLVED:

1. That the Independent Members and Parish Representatives be thanked for undertaking the monitoring of committee meetings to ascertain the levels of compliance with the Code of Conduct and other guidance.

2. That the following comments be agreed for further action:-

(a) the Mayor be encouraged to do everything possible to avoid debate taking place during the Questions session at Council and, throughout the meeting, to prevent repetition by speakers of points already made.

(b) the officers consider whether, at meetings of the Planning Development Control Committee, there could be any procedural mechanism whereby the public could be permitted to correct factually inaccurate statements made by officers.

(c) further to (b) above, the Chairman of the Planning Development Control Committee be requested to keep officer presentations and Member comments direct and to the point.

(d) that the following points be included in the standard information page for all Cabinet and Committee agendas to explain the voting process:-

- apart from the Chairman, every Member has one vote when a matter before the meeting requires a decision.

- in the event of an equality of votes, the Chairman may exercise a casting vote and that vote may be exercised in any way seen fit.
- a Member may abstain from voting, or vote differently from how they may have indicated during the debate, without further explanation.
- the way each Member voted will not be recorded in the minutes, unless a motion to have a Recorded Vote has been passed.

3. That the content of this report and the additional comments in 3 above be drawn to the attention of all Group Leaders, Group Managers and Chairmen.

5. **FUTURE OF STANDARDS FRAMEWORK**  
(Report ST85 refers)

Members noted that the Minister for Housing and Local Government had replied to the Committee's enquiry, regarding the possibility of retaining a system for the monitoring and control of parish councils (not necessarily to be undertaken by the district council). The Minister considered that such a proposal would be incompatible with the principles of localism which underpin the Localism Bill. Therefore, each local authority (including each parish council) would need to determine for themselves how that would be achieved.

The Corporate Director (Governance) then updated the meeting on the Localism Bill, which had not progressed as far as initially envisaged and it was now possible that the October 2011 implementation date may slip. The latest position regarding the Standards framework appeared to be as follows, although that situation could change as the Bill was still being amended during its passage in Parliament and when the regulations were issued:-

(a) each Council would be responsible for promoting and maintaining a sound ethical framework within its organisation and could, if it so wished, produce its own Code of Conduct and local protocols, although it was hoped that some additional guidance would also be made available (possibly by the Local Government Association).

(b) Members would still be required under the proposed regulations to complete annually a Register of Interests form and to declare personal and prejudicial interests at meetings. Breach of the regulations would be a criminal offence with prosecutions brought by the Director of Public Prosecutions.

(c) the only sanctions which any Standards Committee could impose on Councillors found to have acted against the Code would be censure or training. If a council adopted its own Code of Conduct, it would have to devise a procedure for dealing with any written complaints, which could include a replacement for the Standards Committee.

(d) however, the Police would be responsible for investigating any criminal offences arising out of Member actions.

(e) the future role of Independent Members (and whether they would retain voting rights if appointed) had still to be clarified.

RESOLVED:

That the current position be noted.

The meeting commenced at 6.30pm and concluded at 7.45pm

Chairman